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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,395	10/08/2003	Anthony Titishov	13433-1	6880
7590 11/09/2005				
J.T. Kerfoot c/o Keyser Mason Ball, LLP Suite 1600 Four Robert Speck Parkway Mississauga, ON L4Z 1S1 CANADA			EXAMINER LAUX, JESSICA L	
			ART UNIT 3635	PAPER NUMBER
DATE MAILED: 11/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/680,395	Applicant(s) TITISHOV, ANTHONY	
	Examiner Jessica Laux	Art Unit 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/08/03</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Czech Republic on 08/06/2003. It is noted, however, that applicant has not filed a certified copy of the PV-2003-2141 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 through 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beliveau (6230462) in view of Gibbs (2797840).

In regards to claims 1 and 9, Beliveau teaches the claimed invention (Figs. 1- 4), but does not disclose the same hinge design. Gibbs teach a hinge with vertically alternating protrusions that bear on opposing surfaces of a pin that defines a vertical axis (Gibbs, Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hinge design of the bridging web as taught by Beliveau with the hinge design as taught by Gibbs, since such a modification would be easier to manufacture and more cost effective.

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In regards to claims 3- 4 and 11-12, it is an obvious design choice to have the first or second hinge be a pin as it does not affect the function of the hinge operation.

In regards to claims 5-6 and 13-14, Beliveau does not teach a bridging web containing the claimed hinge design. Gibbs teaches the claimed hinge design comprising a plurality of vertically alternating knuckles (Gibbs, Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hinge design of Beliveau with the hinge design as taught by Gibbs, since such a modification would be easier to manufacture, with respect the molding process, and more cost effective.

In regards to claims 2 and 10, Beliveau teaches bridging web with a stopper to prevent the member from sliding (Fig. 7; col 5, lines 32-35).

In regards to claims 7 and 15, Beliveau discloses a flange plate upon which the hinge elements are mounted (Fig. 4).

In regards to claims 8 and 16, Beliveau discloses a stabilizing plate comprising a fastener to link members (col 5, lines 52-56).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica Laux whose telephone number is 571-272-8228. The examiner can normally be reached on Monday thru Friday, 8:30am to 4:00pm (est).

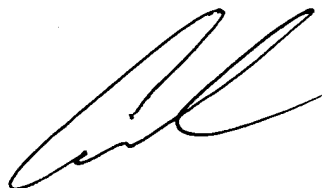
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JII 10/28/2005



Carl D. Friedman
Supervisory Patent Examiner
Group 3600